



RESPONSE UNDER 37 C.F.R. §1.116 - EXPEDITED PROCEDURE
GROUP ART UNIT 1637

VIA HAND DELIVERY FEBRUARY 27, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Fischer et al.

Attorney Docket No.: PZ010P2

Application Serial No.: 09/973,278

Group Art Unit: 1637

Filed: October 10, 2001

Examiner: Spiegler, A.

For: Secreted Protein HHTLF25 (as amended)

RESPONSE AND AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

In response to the Office Communication mailed January 22, 2004 (Paper No. 20040113), please enter the following amendments and consider the following remarks. Applicants submit concurrently herewith a Fee Transmittal Sheet (in duplicate).

Remarks begin on page 2 of this paper.

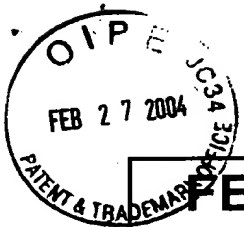


Image AF/1637

Use in lieu of PTO/SB/17 (08-03)
(Form updated to reflect FY 2004 fees effective 10/1/03)

FEE TRANSMITTAL				Complete if Known																																																																																																																																																																																			
for FY 2004				Application Number	09/973,278-Conf. #5790																																																																																																																																																																																		
<small>Effective 10/01/2003. Patent fees are subject to annual revision.</small>				Filing Date	October 10, 2001																																																																																																																																																																																		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				First Named Inventor	Carrie L. Fischer																																																																																																																																																																																		
				Examiner Name	A. Spiegler																																																																																																																																																																																		
TOTAL AMOUNT OF PAYMENT		(\$)	0.00	Art Unit	1637																																																																																																																																																																																		
				Attorney Docket No.	PZ010P2																																																																																																																																																																																		
METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																			
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None				3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37CFR 1.129(b))</td><td></td></tr><tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr></tbody></table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
Large Entity		Small Entity				Fee Description	Fee Paid																																																																																																																																																																																
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
1051	130	2051	65			Surcharge - late filing fee or oath																																																																																																																																																																																	
1052	50	2052	25			Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																	
1053	130	1053	130			Non-English specification																																																																																																																																																																																	
1812	2,520	1812	2,520			For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																																	
1804	920*	1804	920*			Requesting publication of SIR prior to Examiner action																																																																																																																																																																																	
1805	1,840*	1805	1,840*			Requesting publication of SIR after Examiner action																																																																																																																																																																																	
1251	110	2251	55			Extension for reply within first month																																																																																																																																																																																	
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																																			
1253	950	2253	475	Extension for reply within third month																																																																																																																																																																																			
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																																																			
1255	2,010	2255	1,005	Extension for reply within fifth month																																																																																																																																																																																			
1401	330	2401	165	Notice of Appeal																																																																																																																																																																																			
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																																			
1403	290	2403	145	Request for oral hearing																																																																																																																																																																																			
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																			
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																			
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																																																			
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																																																			
1502	480	2502	240	Design issue fee																																																																																																																																																																																			
1503	640	2503	320	Plant issue fee																																																																																																																																																																																			
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																			
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																																			
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																			
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																			
1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))																																																																																																																																																																																			
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																																			
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																			
<input type="checkbox"/> Deposit Account: Deposit Account Number: 08-3425 Deposit Account Name: Human Genome Sciences, Inc.																																																																																																																																																																																							
The Director is authorized to: (check all that apply)																																																																																																																																																																																							
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments																																																																																																																																																																																							
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application																																																																																																																																																																																							
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.																																																																																																																																																																																							
FEE CALCULATION																																																																																																																																																																																							
1. BASIC FILING FEE																																																																																																																																																																																							
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="4">SUBTOTAL (1)</td><td>(\$)</td><td>0.00</td></tr></tbody></table>				Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	770	2001	385	Utility filing fee		1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee		SUBTOTAL (1)				(\$)	0.00																																																																																																																																						
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
1001	770	2001	385	Utility filing fee																																																																																																																																																																																			
1002	340	2002	170	Design filing fee																																																																																																																																																																																			
1003	530	2003	265	Plant filing fee																																																																																																																																																																																			
1004	770	2004	385	Reissue filing fee																																																																																																																																																																																			
1005	160	2005	80	Provisional filing fee																																																																																																																																																																																			
SUBTOTAL (1)				(\$)	0.00																																																																																																																																																																																		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE																																																																																																																																																																																							
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2"></th><th>Extra Claims</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Total Claims</td><td>46</td><td>-75** =</td><td></td><td>0.00</td></tr><tr><td>Independent Claims</td><td>8</td><td>-15** =</td><td></td><td>0.00</td></tr><tr><td>Multiple Dependent</td><td></td><td></td><td></td><td></td></tr></tbody></table>						Extra Claims	Fee from below	Fee Paid	Total Claims	46	-75** =		0.00	Independent Claims	8	-15** =		0.00	Multiple Dependent																																																																																																																																																																				
		Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																			
Total Claims	46	-75** =		0.00																																																																																																																																																																																			
Independent Claims	8	-15** =		0.00																																																																																																																																																																																			
Multiple Dependent																																																																																																																																																																																							
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201</td><td>86</td><td>2201</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203</td><td>290</td><td>2203</td><td>145</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204</td><td>86</td><td>2204</td><td>43</td><td>** Reissue independent claims over original patent</td><td></td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="4">SUBTOTAL (2)</td><td>(\$)</td><td>0.00</td></tr></tbody></table>				Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	Claims in excess of 20		1201	86	2201	43	Independent claims in excess of 3		1203	290	2203	145	Multiple dependent claim, if not paid		1204	86	2204	43	** Reissue independent claims over original patent		1205	18	2205	9	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)				(\$)	0.00																																																																																																																																						
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																																			
1201	86	2201	43	Independent claims in excess of 3																																																																																																																																																																																			
1203	290	2203	145	Multiple dependent claim, if not paid																																																																																																																																																																																			
1204	86	2204	43	** Reissue independent claims over original patent																																																																																																																																																																																			
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																			
SUBTOTAL (2)				(\$)	0.00																																																																																																																																																																																		
SUBTOTAL (3)				(\$)	0.00																																																																																																																																																																																		
Other fee (specify)																																																																																																																																																																																							
*Reduced by Basic Filing Fee Paid																																																																																																																																																																																							
** or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																							
SUBMITTED BY																																																																																																																																																																																							
Name (Print/Type)		Janet M. Martineau		Registration No. (Attorney/Agent)	46,903																																																																																																																																																																																		
Signature				Telephone	(301) 315-2723																																																																																																																																																																																		
				Date	February 27, 2004																																																																																																																																																																																		